

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AMERICAN CIVIL LIBERTIES UNION, et
al.

Plaintiffs,

v.

ALBERTO R. GONZALES, in his official
capacity as ATTORNEY GENERAL OF
THE UNITED STATES,

Defendant.

CASE NO. 98 CV 5591

**NOTICE OF MOTION
TO QUASH SUBPOENAS SERVED
ON FLASH NETWORKS, INC.**

TO:

Clerk of the Court
United States District Court, Eastern District of Pennsylvania
James A. Byrne Courthouse
601 Market Street
Philadelphia, PA 19106-1797

Hon. Lowell A. Reed, Jr.
United States District Court, Eastern District of Pennsylvania
James A. Byrne Courthouse
601 Market Street
Philadelphia, PA 19106-1797

Catherine Crump, Esq.
Ann Beeson, Esq.
American Civil Liberties Union Foundation
125 Broad Street
New York, New York 10004

Karen Stewart, Esq.
Raphael O. Gomez, Esq.
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave., N.W.
Washington, D.C. 20044

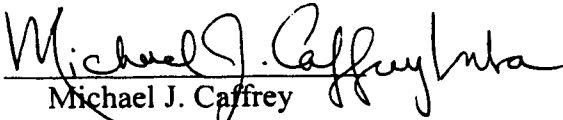
SIRS/MADAMS:

PLEASE TAKE NOTICE that on Friday, October 27, 2006 at 9:00 a.m. on the forenoon as soon thereafter as counsel may be heard, the undersigned attorneys for Flash Networks, Inc. shall apply to the United States District Court for the Eastern District of Pennsylvania, Philadelphia, Pennsylvania, for an Order quashing the subpoenas dated October 10, 2006 served by plaintiff American Civil Liberties Union pursuant to Federal Rule of Civil Procedure 45. We shall rely upon the annexed certifications, exhibits, and letter brief in support thereof.

The undersigned requests oral argument if the within motion is opposed.

A proposed form of Order is annexed.

Respectfully submitted,

By: 
Michael J. Caffrey
Nicole Bearce Albano

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Dated: October 26, 2006